

**Date:** 1 February 2023

**Item:** **Matters Arising, Actions List and Use of Delegated Authority**

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**This paper will be considered in public**

## **1 Summary**

- 1.1 This paper informs the Board of any use of Chair's Action or authority delegated by the Board, any Mayoral Directions to TfL and progress against actions agreed at previous meetings, since the last meeting of the Board on 7 December 2022.
- 1.2 There have been no uses of Chair's Action, nor any other use of specific authority delegated by the Board to Committees.
- 1.3 There has been one Mayoral Direction issued to TfL since the last meeting, relating to permanent changes to free travel arrangements for older Londoners from 18 January 2023 (MD3014).
- 1.4 This paper also seeks a delegation to authorise the Chair of TfL (in consultation with the Appointment Panel) to approve the appointment of a permanent Commissioner of Transport (Commissioner) at the end of the current recruitment process.
- 1.5 Appendix 1 sets out the progress against actions agreed at previous meetings.

## **2 Recommendation**

2.1 **The Board is asked to note the paper and:**

- (a) **delegate authority to the Chair of TfL, in consultation with the Appointment Panel Chaired by the Deputy Chair, Seb Dance, to approve the future appointment of the Commissioner of Transport; and**
- (b) **note the actions list, set out in Appendix 1 of the paper.**

## **3 Use of Chair's Action**

- 3.1 Under Standing Order 113, in situations of urgency, the Board delegates to each of the Chair and the Chairs of any Committee or Panel the exercise of any functions of TfL on its behalf. Any use of Chair's Action is reported to the next ordinary meeting. The Board on occasion will also make specific delegations to its Committees which, when exercised, are reported to the

next ordinary meeting of the Board, as well as the next meeting of the relevant Committee.

- 3.2 There has been no use of Chair's Action since the last meeting.

## **4 Use of Delegated Authority**

- 4.1 There has been no use of authority relating to matters reserved to the Board.

## **5 Delegation of Authority Request: Appointment of a Permanent Commissioner of Transport**

- 5.1 Under Standing Order 100(c)(i), the appointment or removal of the Commissioner is a matter reserved to the Board.
- 5.2 Following the resignation of Andy Byford to return to America, the Deputy Commissioner, Andy Lord, is filling the role on an interim basis until a permanent appointment is made.
- 5.3 Given the profile and status of the role, TfL is engaging an executive search firm to lead an open and international recruitment campaign. Members were briefed on the process on 12 October 2022. A further update will be provided to Members on 1 February 2023 and updates will continue to be provided as the process continues.
- 5.4 The Deputy Chair of TfL, Seb Dance, is leading the recruitment process and will Chair the Appointment Panel, which will also comprise Members Professor Greg Clark CBE, Anne McMeel, Dr Mee Ling Ng OBE and Marie Pye. At the appropriate time, the Appointment Panel will review the list of candidates and approve a shortlist of those that it will interview for the role. The Remuneration Committee will agree the remuneration parameters for the role.
- 5.5 To ensure a timely appointment, it is requested that authority be delegated to the Chair of TfL to approve the permanent appointment of the successful candidate, in consultation with the Appointment Panel.

## **6 Mayoral Directions to TfL**

- 6.1 The Greater London Authority (GLA) Act 1999 (as amended), permits the Mayor to issue to TfL general directions as to the manner in which TfL is to exercise its functions or specific directions as to the exercise of its functions (or not to exercise a power specified in the direction). Directions are also often made in relation to the implementation of matters in respect of which the Mayor delegates statutory powers to TfL.
- 6.2 The Mayor makes Mayoral Directions through Mayoral Decisions. Papers for Mayoral Directions set out the financial and other implications. If those implications change over time, that will be reported to the GLA.

- 6.3 All Mayoral Decisions are issued in writing, with the information that is not exempt from publication included on the GLA's Decisions Database on its website: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/decisions?order=DESC>.
- 6.4 Mayoral Directions fall into three broad categories: those addressing technical issues relating to statutory powers; those related to commercial development activities; and those related to projects and programmes. Mayoral Directions relating to TfL are reported to the Board's Committees for discussion as soon as possible after they are received by TfL or published. Regular reports will list the relevant Directions for as long as they are applicable.
- 6.5 Annually the Audit and Assurance Committee considers the list as part of its consideration of the annual audit plan to ensure that appropriate audit resource is applied to assurance on TfL's work in implementing Mayoral Directions. This will also be kept under review at each quarterly meeting of that Committee.
- 6.6 A summary of current Mayoral Directions to TfL is maintained on the "How we are governed" page on our website, with links to the relevant Mayoral Decisions: <https://tfl.gov.uk/corporate/about-tfl/how-we-work/how-we-are-governed>. That page will be updated as and when further Directions are made.
- 6.7 There has been one Mayoral Direction issued to TfL since the last meeting, which will also be reported to the next meeting of the Finance Committee:
- (a) **Permanent changes to free travel arrangements for older Londoners (MD3014)**
- The Mayor approved revisions to the Older Persons' Freedom Pass and the 60+ London Oyster photocard validity to permanently remove free travel between the hours of 4:30am and 9:00am on weekdays (excluding bank holidays) and directed TfL to implement the changes on and from 18 January 2023.
- The time restriction had been in place temporarily since 15 June 2020, (under MD2642). The change was introduced to meet conditions attached to Government funding settlements that were required to support TfL due to the impact of the coronavirus pandemic on TfL's finances.
- The change does not affect holders of the Disabled Persons' Freedom Pass on either TfL or National Rail services, where current acceptance would continue unchanged.
- ## 7 Actions List
- 7.1 Appendix 1 sets out the progress against actions agreed at previous meetings.

**List of appendices to this report:**

Appendix 1: Actions List

**List of Background Papers:**

Minutes from previous meetings.

Greater London Authority Decision Making Database.

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